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# UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. 14917.1

First Inventor Clifford, Jeffory Neil

Title AJUSTABLE FENCE RAIL SUPPORTING AND POSITIONING...

Express Mail Label No. EE085026482US

## APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)  
(Submit an original and a duplicate for fee processing)
2. ☒ Applicant claims small entity status.  
See 37 CFR 1.27.
3. ☒ Specification [Total Pages 32]  
(preferred arrangement set forth below)
  - Descriptive title of the invention
  - Cross Reference to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference to sequence listing, a table, or a computer program listing appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
4. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 7]
5. Oath or Declaration [Total Pages 3]
  - a. ☒ Newly executed (original or copy)
  - b. ☐ Copy from a prior application (37 CFR 1.63 (d))  
(for continuation/divisional with Box 18 completed)
    - i. ☐ **DELETION OF INVENTOR(S)**  
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. ☐ Application Data Sheet. See 37 CFR 1.76

ADDRESS: Commissioner for Patents  
Mail Stop Patent Application - P.O. Box 1450  
Alexandria, VA 22313-1450

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
  - a. ☐ Computer Readable Form (CRF)
  - b. Specification Sequence Listing on:
    - i. ☐ CD-ROM or CD-R (2 copies); or
    - ii. ☐ paper
  - c. ☐ Statements verifying identity of above copies

## ACCOMPANYING APPLICATION PARTS

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement (when there is an assignee) ☒ Power of Attorney
11. ☐ English Translation Document (if applicable)
12. ☒ Information Disclosure Statement (IDS)/PTO-1449 ☒ Copies of IDS Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503) (Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s) (if foreign priority is claimed)
16. ☒ Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17. ☐ Other: \_\_\_\_\_

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP)

of prior application No.: \_\_\_\_\_ / \_\_\_\_\_

Prior application information:

Examiner: \_\_\_\_\_

Group Art Unit: \_\_\_\_\_

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

## 19. CORRESPONDENCE ADDRESS

☒ Customer Number or Bar Code Label

(Insert)

PATENT & TRADEMARK OFFICE

or

☐ Correspondence address below

Name

Address

City

Country



020205

State

Zip Code

Telephone

Fax

Name (Print/Type)

Reed E. Andrus, Esq.

Registration No. (Attorney/Agent)

51,407

Signature

Date

7/9/2003

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Mail Stop Patent Application, P.O. Box 1450, Alexandria, VA 22313-1450.

15591 U.S. PTO  
10/6/03  
07/11/03

17169 U.S. PTO  
07/11/03

# FEE TRANSMITTAL

## for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ ) 375.00

### Complete if Known

Application Number	
Filing Date	Herewith
First Named Inventor	Clifford, Jeffory Neil
Examiner Name	
Art Unit	
Attorney Docket No.	14917.1

### METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☐ Deposit Account:

Deposit Account Number: 502677

Deposit Account Name: Hopkins Roden Crockett...

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments

☐ Charge any additional fee(s) during the pendency of this application

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

### FEE CALCULATION

1. BASIC FILING FEE			
Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code	Fee Code		
1001 750	2001 375	Utility filing fee	375.00
1002 330	2002 165	Design filing fee	
1003 520	2003 260	Plant filing fee	
1004 750	2004 375	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	
SUBTOTAL (1)			(\$ ) 375.00

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims: 20 -20\*\* = 0 X 9 = 0.00

Independent Claims: 3 -3\*\* = 0 X 42 = 0.00

Multiple Dependent: 140 = 0.00

Large Entity		Small Entity		Fee Description	
Fee Code	Fee Code	Fee Code	Fee Code		
1202 18	2202 9	1201 84	2201 42	Claims in excess of 20	
1203 280	2203 140	1204 84	2204 42	Independent claims in excess of 3	
1204 84	2204 42	1205 18	2205 9	Multiple dependent claim, if not paid	
				** Reissue independent claims over original patent	
				** Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2)					(\$ ) 0.00

\*\*or number previously paid, if greater; For Reissues, see above

### FEE CALCULATION (continued)

3. ADDITIONAL FEES				Fee Description	Fee Paid
Large Entity	Small Entity	Fee Code	Fee Code		
1051 130	2051 65	1052 50	2052 25	Surcharge - late filing fee or oath	
1053 130	1053 130	1812 2,520	1812 2,520	Surcharge - late provisional filing fee or cover sheet	
1812 2,520	1812 2,520	1804 920*	1804 920*	Non-English specification	
1804 920*	1804 920*	1805 1,840*	1805 1,840*	For filing a request for ex parte reexamination	
1805 1,840*	1805 1,840*	1251 110	2251 55	Requesting publication of SIR prior to Examiner action	
1251 110	2251 55	1252 410	2252 205	Requesting publication of SIR after Examiner action	
1252 410	2252 205	1253 930	2253 465	Extension for reply within first month	
1253 930	2253 465	1254 1,450	2254 725	Extension for reply within second month	
1254 1,450	2254 725	1255 1,970	2255 985	Extension for reply within third month	
1255 1,970	2255 985	1401 320	2401 160	Extension for reply within fourth month	
1401 320	2401 160	1402 320	2402 160	Extension for reply within fifth month	
1402 320	2402 160	1403 280	2403 140	Notice of Appeal	
1403 280	2403 140	1451 1,510	1451 1,510	Filing a brief in support of an appeal	
1451 1,510	1451 1,510	1452 110	2452 55	Request for oral hearing	
1452 110	2452 55	1453 1,300	2453 650	Petition to institute a public use proceeding	
1453 1,300	2453 650	1501 1,300	2501 650	Petition to revive - unavoidable	
1501 1,300	2501 650	1502 470	2502 235	Petition to revive - unintentional	
1502 470	2502 235	1503 630	2503 315	Utility issue fee (or reissue)	
1503 630	2503 315	1460 130	1460 130	Design issue fee	
1460 130	1460 130	1807 50	1807 50	Plant issue fee	
1807 50	1807 50	1806 180	1806 180	Petitions to the Commissioner	
1806 180	1806 180	8021 40	8021 40	Processing fee under 37 CFR 1.17(q)	
8021 40	8021 40	1809 750	2809 375	Submission of Information Disclosure Stmt	
1809 750	2809 375	1810 750	2810 375	Recording each patent assignment per property (times number of properties)	
1810 750	2810 375	1801 750	2801 375	Filing a submission after final rejection (37 CFR 1.129(a))	
1801 750	2801 375	1802 900	1802 900	For each additional invention to be examined (37 CFR 1.129(b))	
1802 900	1802 900			Request for Continued Examination (RCE)	
				Request for expedited examination of a design application	
Other fee (specify)					
*Reduced by Basic Filing Fee Paid		SUBTOTAL (3)			(\$ ) 0.00

SUBMITTED BY		(Complete if applicable)	
Name (Print/Type)	Reed E. Andrus, Esq.	Registration No. (Attorney/Agent)	51,407
Signature		Telephone	208-523-4445
		Date	7/9/2003

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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<b>NONPUBLICATION REQUEST UNDER 35 U.S.C. 122(b)(2)(B)(i)</b>		First Named Inventor	Clifford, Jeffery Neil
		Title	ADJUSTABLE FENCE RAIL SUPPORTING AND POSITIONING ASSEMBLY AND METHOD . . .
		Attorney Docket Number	14917.1

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing.

I hereby request that the attached application not be published under 35 U.S.C. 122(b).

8 JULY 2003  
Date

  
Signature

208-523-8720

Telephone number

Jeffery Neil Clifford

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

☒ \*Total of 4 forms are submitted.

This collection of information is required by 37 CFR 1.213(a). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 6 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

*If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.*

**NONPUBLICATION REQUEST  
UNDER  
35 U.S.C. 122(b)(2)(B)(i)**

First Named Inventor Clifford, Jeffory Neil

Title ADJUSTABLE FENCE RAIL SUPPORTING AND  
POSITIONING ASSEMBLY AND METHOD . . .

Attorney Docket Number 14917.1

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing.

I hereby request that the attached application not be published under 35 U.S.C. 122(b).

08 July 2003  
Date

  
Signature

208-524-5212

Telephone number

Blair J. Sautter

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

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		Title	ADJUSTABLE FENCE RAIL SUPPORTING AND POSITIONING ASSEMBLY AND METHOD . . .
		Attorney Docket Number	14917.1

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I hereby request that the attached application not be published under 35 U.S.C. 122(b).

07-08-03  
Date

DALE Hepworth  
Signature

208-525-3306  
Telephone number

Dale Kirk Hepworth  
Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

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**NONPUBLICATION REQUEST  
UNDER  
35 U.S.C. 122(b)(2)(B)(i)**

First Named Inventor Clifford, Jeffory Neil

Title ADJUSTABLE FENCE RAIL SUPPORTING AND  
POSITIONING ASSEMBLY AND METHOD . . .

Attorney Docket Number 14917.1

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing.

I hereby request that the attached application not be published under 35 U.S.C. 122(b).

7-8-03

Date

*Larry Jacob Stucki*

Signature

208-754-0497

Telephone number

Larry Jacob Stucki

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

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☒ \*Total of 4 forms are submitted.

This collection of information is required by 37 CFR 1.213(a). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 6 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.